

ORIGINAL

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Attorney for Defendant  
FARSIGHTED ENTERPRISE, INC

FILED IN THE  
UNITED STATES DISTRICT COURT  
DISTRICT OF HAWAII  
OCT 26 2007  
at 10 o'clock and 0 min. AM  
SUE BEITIA, CLERK

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAII

SDA RMA, LLC d/b/a RMA SALES CO., )  
INC., )

Plaintiff, )

vs. )

FARSIGHTED ENTERPRISE, INC., a )  
foreign corporation; JOHN DOES 1-10; )  
JANE DOES 1-10; DOE PARTNERSHIPS )  
1-10; DOE CORPORATIONS 1-10; and )  
DOE ENTITIES 1-10, )

Defendants. )

CIVIL NO. **CV07 00539**  
(Contract)

**NOTICE OF REMOVAL; EXHIBIT  
"A"; CERTIFICATE OF SERVICE**

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**NOTICE OF REMOVAL**

Defendant Farsighted Enterprise, Inc., ("FARSIGHTED" or "Defendant"), by and through their undersigned counsel, pursuant to 28 U.S.C. §§ 1332, 1441 and 1446, and Rules 11 and 81(c) of the Federal Rules of Civil Procedure, hereby petition the above entitled Court for removal of the State Court action filed in Civil No. 07-1-1856-10 (the "State Case") from the Circuit Court of the First Circuit, State of Hawaii, to the United States District Court for the District of Hawaii on the following grounds:

1. On or about October 3, 2007, Plaintiff SCD RMA d/b/a RMA Sales Co., Inc. (“RMA” or “Plaintiff”) filed the above referenced State Case in the Circuit Court of the First Circuit, State of Hawaii. A true and correct copy of the Complaint is attached hereto as Exh. “A.”

2. The Complaint in the State Case identified the Plaintiff as a “Hawaii Corporation doing business in the State of Hawaii, with its principal place of business in the City and County of Honolulu.” Complaint ¶ 1.

3. Defendant FARSIGHTED is a corporation organized and existing under the laws of the State of California, with its principal place of business in the State of California. It is therefore deemed a citizen of the State of California within the meaning of 28 U.S.C. § 1332(c)(1).

4. Pursuant to 28 U.S.C § 1441(a), the citizenship of the defendants sued under fictitious names (the “Doe Defendants”) shall be disregarded for purposes of removal.

5. The amount in controversy exceeds \$75,000 exclusive of interests and costs. In its State Case, Plaintiff seeks damages for breach of contract and implied warranties. Furthermore, Plaintiff demands a judgment for special damages, and attorneys’ fees.

6. There is original jurisdiction in the United States District Court for the District of Hawaii under 28 U.S.C. § 1332, in that there is a complete diversity of citizenship of Plaintiff and Defendant and the amount in controversy exceeds \$75,000 exclusive of interests and costs.

7. Plaintiff’s Complaint, and Summons was served on Defendant FARSIGHTED on October 15, 2007.

8. This Notice of Removal is filed within thirty (30) days of Plaintiff's service of Plaintiff's Complaint and Summons on Defendant FARSIGHTED.

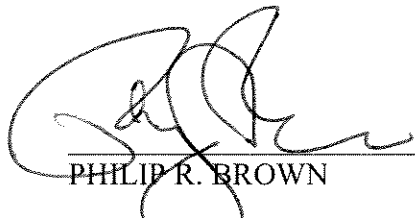
9. Venue is proper in the United States District Court for the District of Hawaii pursuant to 28 U.S.C. § 1446(a) because the State Case is pending within the District of Hawaii.

10. This action may be removed to Federal Court pursuant to 28 U.S.C. §§ 1441 and 1446.

11. This short and plain statement of the grounds for removal is signed pursuant to Rule 11 of the Federal Rules of Civil Procedure.

WHEREFORE, Defendant prays that the above-entitled action from the Circuit Court of the First Circuit, State of Hawaii, be removed to the United States District Court for the District of Hawaii.

DATED: Honolulu, Hawaii, October 26, 2007.



PHILIP R. BROWN

Attorney for Defendant  
FARSIGHTED ENTERPRISE, INC.,  
a foreign corporation